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HASTINGS LAW NEWS

San Francisco, California

April 19, 1995

Volume 28, Number 7

HASTINGS PLUMMETS

**Charles Cypher and
Lesley Kim**
STAFF WRITERS

The Hastings campus has been in an upsurge since the release of 1995 law school rankings by *U.S. News* and *World Report* last month. Hastings dropped from 20th among U.S. law schools in 1994 to a dismal 45 this year.

This dramatic fall has been attributed to Hastings' poor showings in two of the ranking's five categories: placement success and faculty resources. "Placement success" represents 20 percent of a school's total score, while "faculty resources," which includes a school's total expenditures per student for instruction, library and support services, represents 15 percent of the total score.

Last year, *U.S. News* measured Hastings' success rate for employment as six months after graduation at 89 percent. This year, the success rate was down to 75 percent. This translated to a *U.S.*

News placement success index drop from 24 to 128. A major part of the drop is due to how the magazine counts alumni who schools are unable to contact. Before 1995, *U.S. News* reported as employed all graduates who schools were unable to contact for employment verification. In contrast, the magazine this year considered only 25 percent of uncontacted students. Because Hastings was able to reach 93 percent of its 1994 graduates, as opposed to 82.7 percent of its 1993 graduates, fewer 1994 graduates were defaulted to "employed" status.

In the faculty resources

category, Hastings' reported spending per student dropped 10

the changes in the way spending on students is measured favors

those law schools affiliated with universities over independent schools, because other facilities at a university can be counted even though not directly affiliated with the law school. The *U.S. News*' new standard for measuring schools' resources is similar to the American Bar Association's, and Kane is appealing to both organizations to change them.

The administration has engaged in active damage control since the release of the rankings. Kane sent letters to all alumni, coinciding almost exactly with the publication of the magazine, explaining that the drop was not due to changes at the school, but rather with external factors and changes in the data

ranking uses. The alumni were further urged to help bolster the school's sagging reputation by helping students find jobs and by donating more money to the school's fundraising campaigns. Current students received a similar letter in their SIC folders after spring break.

Kane indicated that she is most worried about the impact the drop may have on current students and prospective applicants, but that she is not as concerned about its impact upon local employers and alumni. She cited the fact that Hastings' reputation ranking among lawyers and judges was a respectable 18 this year. She remains hopeful that local employers and alumni who know the school will realize that it could not have changed so drastically in one year. As Kane told the *New York Times*, "It simply defies common sense. Nothing happened this year that suggests this school changed dramatically."

45

Traynor Team Triumphs

Bruce Rondeau
STAFF WRITER

For the third time in five years, Hastings College of the Law has the best Moot Court team in the state of California. Placing the jewel in the crown of the Moot Court Department's year of successful competition teams, team members Jeanne Fahey and Paul Thornthal beat all comers on Sunday, April 2, and brought the Traynor Cup home to Hastings.

Arguing in favor of a newly-enacted California law that makes it illegal for a crime witness to accept payment for telling his story to the media, the team beat each of the 22 other teams to take the No. 1 spot in California. Despite a grueling schedule that allowed only an hour between rounds, Jeanne and Paul scored a perfect 5-0 record throughout the preliminary rounds.

According to Jeanne Fahey, the pressure grew before the semi-final and final rounds not only



because of the tougher competition, but also because of the stature of the judges. The final round was judged by Justices Arabian, George, and Mosk of the California Supreme Court, the Honorable Pamela Ann Rymer of the United States Court of Appeals for the Ninth Circuit, and the Honorable Fern M. Smith of the U.S. District Court in San Francisco.

Recalling hours of preparation and practice, both Jeanne and Paul were thrilled to walk away champions. Both had prior experience as Moot Court

competitors that certainly added to their expertise.

Their victory caps the most successful year in Hastings history for Moot Court competitions. This year's successes included the following competitions:

National Moot Court Competition

Scott Hennigh and Paul Thornthal advanced to the final 4 in this prestigious nation-wide competition that fielded 223 teams, placing them as one of the top 1 percent of all National teams.

Health Plan Boosts Services

Rachel Meyers
FEATURES EDITOR

Two major changes in the Hastings outpatient health plan for next year will be the inclusion of abortion and coverage for repatriation and medical evacuation insurance. Both these additions will not increase the cost of the plan, said Health Services Director Julie Martin. The net change in costs related to Health Services will be an increase of \$1.50 per semester per student, according to Patsy Oppenheim, Director of Student Services. The \$32.50 increase in the Health Services Fee is offset by the decrease in insurance premiums.

Partly due to the lobbying efforts of the Clara Foltz Feminist Association, voluntary termination of pregnancy up to \$500 will now be covered. Previously, the health plan covered prenatal care and childbirth, but not abortion. As is

normal for many insurance plans, abortion was not covered because it is an elective surgery, explained Martin. "Health Services needs to address legitimate health care needs of female students," commented first year Ashley

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Schwartz Recounts Death Camp Horrors

Martin Pitha
Staff Writer

At the request of the Hastings Jewish Law Students Association, Michael Schwartz returned to Hastings this year on March 25 to again provide students with insights regarding his experiences in the Buchenwald concentration camp during World War II. Although Schwartz did not speak of his experiences for many years, he has decided to offer his story now as "living testimony," to show that "knowledge is judgment."

Schwartz was born in the Carpathian Mountains in the former Czechoslovakia in 1930. He grew up in Budapest, and was taken to Buchenwald at age 13 where he endured the oppressive, unjustified Nazi maxim of what Schwartz described as "work through starvation."

Schwartz's first glimmer of hope came when news of the Allied D-Day landings at Normandy on June 6, 1944 arrived at the camp. Schwartz noted that "no matter how little" the prison was, some information got in and out as the Allied advances progressed. That winter, Allied bombers attacked

the Buchenwald manufacturing plant, dropping packages of chocolate, food, and leaflets to the laborers along the way. The Nazis, in order to speed the implementation of the "Final Solution," began to transfer inmates to the death camps at a more rapid rate. Jews began attempting to cloak their identities to avoid this fate. Schwartz changed the Star of David patch on his shirt to the insignia of a political prisoner. When directly asked by a SS officer, Schwartz denied that he was a Jew. Schwartz's block commander ("capo"), knowing the truth, chose to back Schwartz's lie, saving him from certain fate.

Describing how he survived Buchenwald from day to day, Schwartz claimed he followed the phrase "hear everything, hear nothing, see everything, speak nothing." Once a week the prisoners received a "real bath" and a new set of clothes. As the war wore on, however, the food supply dwindled, the amount of potatoes Schwartz received per day dropped steadily, from four to one to none. Schwartz pursued

chess games so he would receive an extra bowl of soup from other prisoners if he won. However, the amount of bread and soup also dropped to practically nothing. By March 1945, the prisoners had no sustenance and the specter of a protracted "death march" under their Nazi captors loomed large. Schwartz, wearing a pair of oversized shoes which would have prevented him from walking any considerable distance, feared the worst. The American Third Army, however, liberated Buchenwald before the Nazis could organize.

Schwartz took a variety of questions from the audience assembled in the Alumni Reception Center. Although Schwartz stated that "it could happen" again, he noted and lauded the pro-active steps taken by the German government whenever incidents of anti-semitic violence occur in that country. However, Schwartz indicated some animosity toward Franklin Roosevelt and Secretary of State Carter Hall, who he maintained had full knowledge of the Nazi atrocities during the early stages of American involvement during the war.

ASH Committee Forgives Loans

Scott Kuhn
Staff Writer

This year, the ASH Loan Forgiveness Committee released funding for the Hastings Public Interest Career Assistance Program (PICAP).

After meeting with the Committee, Dean Mary Kay Kane, Chief Financial Officer David Seward and Assistant Dean Tim Lennon, the administration made PICAP funding a specific budget item, allocating \$25,000 in the 1993-96 budget to meet Hastings' goal of providing loan forgiveness to all Hastings graduates who meet PICAP eligibility qualifications. The maximum salary for private, non-profit corporation work increased from \$35,000 to \$40,000. Finally, the percentage of loans that Hastings repaid based on salary level was favorably increased.

Additional funding for PICAP will continue to come from existing endowments, a \$170,000 endowment for students who go

into non-clerkship government work and a \$30,000 endowment for students working in private, non-profit corporation public interest jobs. These endowments yield yearly interest of \$15,000 and \$4,000, respectively. For 1993-96, the PICAP budget will be \$44,000.

The need for PICAP is growing steadily, as indicated by the preliminary 1994 Hastings Graduate Employment and Salary Survey compiled by Career Services. The Class of 1994 results indicate that 14 graduates are pursuing public interest employment and over 22 others are pursuing qualifying government sector employment.

In a letter to Dean Kane, Hastings, as California's first and oldest law school, has a special responsibility to provide leadership in keeping a professional education affordable for students who intend to work in the public interest. A commitment to increased loans, while necessary, is by itself simply an

insufficient response to this crisis. It is the skyrocketing burden of these loans which itself closes doors; a recent study found that UC students borrowed \$4 percent more in 1993-94 than the year before! Loan forgiveness programs are crucial in helping students afford a public interest career.

The members of the ASH Loan Forgiveness Committee are: Stephen Knight and Jennifer Prentiss, Co-Chairs; Scott Kuhn, Will Roslov, Heidi Gewertz, Charlie Cypher, Cheryl Ayl, and Hasan Shafiqullah.

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NEWS BRIEFS

COMPILED BY THE HASTINGS LAW NEWS STAFF

ASH Pushes for Student Representation

Members of the Associated Students of Hastings (ASH) will travel to Sacramento Wednesday to push for student representation on the Hastings Board of Directors. The Senate Committee on Education is set to hear opinions on a bill sponsored by State Senator Milton Marks that would amend § 92208 of the Education Code, adding a student member to the Board of Directors. ASH urges all interested students to contact members of the Senate Committee on Education or to attend the hearing on Wednesday, April 19 at 8 a.m. in room 4203 of the State Capitol Building.

Students Honored with Scholarships

Seven Hastings students were awarded Justice Wiley Manuel Scholarships this year. The scholarships are given by the Wiley Manuel Law Foundation in honor of Wiley Manuel, the first African-American to sit on the California Supreme Court. This year's winners are first years Debra Patterson and Emmie Reed, second years Monita Brown and Melody Sunshine Lowe, and third years Bryan Bowers, Danielle Tillotson, and Ronald Taylor.

The \$1,000 scholarships are intended to help students further Justice Manuel's goal of eradicating social and economic inequities in the legal system. Justice Manuel, who died in 1981, graduated second in his class at Hastings in 1953. A member of the Order of the Coif and the first African-American to become editor-in-chief of the Hastings Law Journal, Manuel went on to a distinguished career in public service. After working more than 20 years at the Attorney General's office, including five years as Chief Assistant Attorney General, Manuel was appointed to the Alameda County Superior Court in 1976. In 1977, he was appointed to the California Supreme Court.

Third Years Honored

Seven graduating third year students were honored for their contributions to the Hastings Community at the Third Year Champagne Reception held on April 13 in the Alumni Reception Center. Dean Mary Kay Kane and David Humiston, President of the Hastings Alumni Association, presented the awards to Bob Alon, Roxanne Diaz, Robert Haga, Lesley Kim, Joanna Madison, Guillelmo Sotolucio and Virginia Villegas in recognition of their dedication to Hastings over the past three years.

Regan Takes on Career Services

Martin Pitha
STAFF WRITER

Like many professionals, Carole Regan has had to fly across the country when making a significant job change. Unlike most professionals, however, Regan is a licensed pilot who guided her single-engine Piper Warrior from Philadelphia to San Francisco when switching positions. Regan coasted into Hastings to become the new Director of Career Services during Spring Break, taking over the position left vacant by Kristin Flieri.

Regan, who holds a Ph.D. in Clinical Psychology from the University of Pennsylvania, has always been interested in job choices and placement. Her dissertation centered around career issues. She describes her teaching stint at the business school of St. Joseph's University in Philadelphia, where she taught management and organization classes, as her "first career." In her "second career," Regan joined a consulting firm, where she worked for 13 years. Regan states

that she worked with individuals looking for lateral and upward career movement, such as law firm partners and 3rd to 6th year associates, as well as in-house counsels and those seeking placement with private corporations. She then moved to San Francisco to become a private consultant before applying for the Hastings position. She looks at her new career as an opportunity to combine the academic experience of her graduate school teaching with her placement experience.

Regan has two initial goals for Career Services. The first and most immediate is to broaden the scope of Hastings' On Campus Interview (OCI) process in the fall. She intends to expand the number and type of firms that intend, focusing specifically on smaller and mid-size firms. Additionally, Regan seeks to "sell Hastings students" to out of state employers by inviting large, non-California firms. Finally, Regan hopes to expand OCI by including corporations and non-legal employers.

Regan admits her second goal

is, in the long run, more important and more difficult. Citing the "major shift" in the economy from the 1980s to 1990s, Regan believes that "no private employer" takes responsibility for its "employees' career paths" any longer. Because employees can no longer expect to have a "one career life," Regan believes it is vital to teach students job searching skills that will last them beyond their law school careers. To that end, Regan wants students to be able to "take charge of their own careers" by honing their interests and goals early in law school. "I'd really like to have an impact on the first year class," Regan said.

In the short term, however, Regan is focusing her energies on the graduating class of 1995. Regan stated that she has been meeting with 3rd year members individually, at the "To Do" day, and hopes to meet more during workshops scheduled for the end of April and beginning of May which will focus specifically on the needs of the graduating class. Additionally, she recently met with interested members of each year's class.

HPILF Wraps up Successful Year

Scott Kuhn
STAFF WRITER

The Hastings Public Interest Law Foundation (HPILF) culminated a successful year of activity and fundraising by awarding 5 summer grants of \$3000 each to Hastings students for their own summer projects to serve the legal needs of the underrepresented. The money to fund the grants was raised almost entirely from Hastings students, faculty, staff and alumni.

HPILF raised money for the grants at the "Nightmare on Hyde Street" Auction held in October and last year's Pledge Drive. After receiving 30 grant applications, the field was narrowed and applicants were interviewed by a panel consisting of students, practitioners and faculty. The HPILF 1995 Summer Grant Recipients are: Matt Brown, Pico Union Slum Abatement Project, Legal Aid Foundation of Los Angeles; Noreen Farrell, California Summer Fight for Affirmative Action - National Lawyers Guild; Robin Haaland,

Lesbian Reproductive Rights, National Center for Lesbian Rights; Antonio Hicks, Students' Rights; Project Outreach, Centro Legal de La Raza; Aarti Kohli, Grandparent Caregiver Advocacy Project, Legal Services for Prisoners with Children; Allyson Mattanah, "Consent Handbook" for the Developmentally Disabled, Regional Center of the East Bay.

The \$13,815 raised during HPILF's just completed Spring Pledge Drive will fund next summer's grants. Nineteen faculty members donated a total of \$2200 to the pledge drive. In order to raise even more funds for summer grants, HPILF will be soliciting law firms and other employers to "match" the funds donated by Hastings students they will be employing. HPILF will also solicit pledges from other Bay Area law firms that interview at Hastings during OCI. If anyone wants to pledge, do so via HPILF's SIC folder.

Next year, in addition to raising more money for summer grants, HPILF plans to play a much more active role in campus life.

THIS EDITION IS DEDICATED TO:

Noel Redington
CLASS OF 1994 & 5

IN LOVING MEMORY

Security Blotter

• 03/02/95, Time: 11:24. Officer observed victim slip and fall on a wet area in the McAllister lobby. Officer helped her up and gave her a chair to sit on. She went to the student health center to see a doctor. She bumped her head and bruised an elbow.

• 03/04/95, Time: 11:24. Exterior officers responded to a report of a person down. Officers found a WMA laying down, verbally abusive, and drunk. A SFPD van officer responded and placed the subject in the van with the assistance of a Hastings officer.

• 03/06/95, Time: 15:30. Bookstore manager told safety officer that subject had stolen a backpack from the Bookstore. Subject still had the backpack in her possession. Bookstore manager and officer escorted subject back to the command center where subject was Mirandized. Subject was questioned about the backpack. She said she did steal it, but she did not come into the Bookstore planning to steal something. After subject was questioned, Bookstore manager dropped the petty theft charge. Subject was advised not to return to Hastings premises.

• 03/08/95, Time: 15:25. Garden area officer responded to a motion detector alarm in the north west garden area. Officer found no one in the area. All doors were secure. Officer thought that birds may have set off the perimeter alarm.

• 03/09/95, Time: 17:36. Officer responded to an audible door alarm. Upon arrival, stairwell #2's alarm was ringing. Student sitting in the area said someone opened the door and left when alarm rang. Alarm was reset.

• 03/10/95, Time: 15:56. Officer responded to a report of a sleeping man in the piano lounge area. On arrival officer found a WMA street person stretched out on one of the sofas. Subject was awakened, escorted off the campus and warned not to return.

• 03/10/95, Time: 14:30. A City College student reported that his Eddie Bauer "Mountain Parks" had been stolen from the Kresge room when he was asleep. From 2:30pm - 3:30pm victim stated he hung the coat on the chair next to him. When he awoke, it was gone.

• 03/12/95, Time: 13:10. A Hastings student reported between 5:00 am and 1:00 pm, an unknown person burglarized her vehicle on Hyde Street. Damage to vehicle: \$1,000.00 and property stolen, \$5400.00. Officer reported crash to SFPD.

• 03/14/95, Time: 03:14. Officer responded to a perimeter alarm from the northwest Garden Area. Officer found a BMA and a BFA. Both were warned and escorted off campus.

• 03/16/95, Time: 16:20. Garden area officer responded to a report of the perimeter alarm being set off. On arrival, officer found no one in the area. All was secure.

• 03/21/95, Time: 10:10. Victim reported that on Friday, 03/17/95, he was unable to find an Omi-Laser Printer Toner Cartridge that he had left in the room. Total loss: \$50.00.

• 03/22/95, Time: 08:45. Student Health Services requested that victim be transported to St. Francis Hospital because he had fallen and dislocated his shoulder.

• 03/22/95, Time: 13:15. Reading room officer warned and escorted subject off the premises after he was found inside. Students reported that suspect was observed inside the room for three days and failed to show ID when asked.

• 03/27/95, Time: 7:35. Officer investigated a report of 3/26/95 from a tenant at the Bon-Aire apartments that two persons were encamped behind the building. Officer found blankets for a makeshift shelter and debris, but no one was in the area.

• 03/28/95, Time: 16:50. Officer searched the building for any signs of fire or smoke after receiving a fire alarm. Officer reset the alarm and reopened the fire doors. Alarm was false.

• 03/28/95, Time: 17:33. Officer was dispatched to the garage driveway ramp fire exit where she found a BMA smoking crack. Subject admitted he had just smoked the last of his drug. Subject was warned and escorted off the property.

• 03/29/95, Time: 09:30. Officer arrested subject in the

dining commons after he walked out of the law cafe with food items he had not paid for. San Francisco police department took into custody after a record check noted pending criminal charge.

• 03/29/95, Time: 15:45. Dispatcher received a call from victim who said that there was a strange man in the large reading room. Officers responded and found LMA. Subject said he was waiting for a Hastings student. Subject was escorted out.

• 03/29/95, Time: 16:10. A female student in the library reported a LMA with long black hair and long black coat, approached her, asked her to watch his bag and then tried to "pick her up." He asked her to go eat with him and called her "Babe." She left and called public safety. Subject left the building.

• 04/02/95, Time: 14:50. Officer warned and escorted a BMA off the loading dock area. Subject allegedly climbed over the gate and urinated in the area.

• 04/09/95, Time: 11:50. Officer investigated several reports of persons having sex in the rear parking lot. Officer found a BFA and a BMA under the loading ramp. Officer warned subjects and they left without incident.

• 04/11/95, Time: 09:12. Dining commons officer responded to a BMA wondering around the second floor sitting at students' tables. Suspect was warned and removed without incident.

• 04/11/95, Time: 18:05. Officer found suspect in the women's restroom on the second floor. He said he saw a lot of people come out of the door and thought it was the men's rest room. Suspect was escorted to the command center and warned never to use that restroom again.

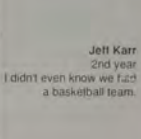
Pedestrian Interviews

Interviews and Photos by
Rich Jankowski and Elaine Paplos

What do you think of Hastings' recent drop in the rankings?



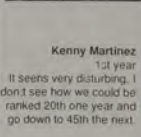
Erin Morton
3rd year
It's bullshit!



Jett Karr
2nd year
I didn't even know we had a basketball team.



Jill Ratner
1st year
What did I pay my differential fee for?



Kenny Martinez
1st year
It seems very disturbing. I don't see how we could be ranked 20th one year and go down to 45th the next.



Professor Smith
I would think that the drop is really not an accurate reflection at all of the quality of the school or the student body.

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Health

Continued from Page 1

Tabbador. "This coverage is long overdue."

The hospitalization coverage will also increase from \$50,000 to \$100,000 per condition, said Martin. According to Martin, this increase is necessary because "if someone has a major accident or surgery, \$50,000 is not enough." Despite this extra coverage, premiums will be \$272 a year for outpatient insurance (that is required for all Hastings students) and \$466 for hospitalization insurance. This is a decrease of \$11.70 and \$18 respectively, according to Oppenheim.

While Martin provides some generic medications at Hastings, she cited the high cost of patented medications as the reason that students have to travel to UC Berkeley's clinic to fill prescriptions. Without a pharmacist on site, Martin added, filling prescriptions is impossible. Despite the high demand for birth control pills and other common medications, Martin said, "it would not be possible for us to buy them at a discount that would be useful to students."

Neonitrates are available at Hastings, although the nurse practitioners can fit students for diaphragms and provide counseling about contraceptive options. In the past, Martin has distributed condoms that were donated to Hastings to promote safer sex awareness. Again, Martin said that there is no money in the budget to buy condoms, even at wholesale cost. Selling condoms is also impossible because "we can't collect money at Health Services," Martin explained. Fiscal Services collects all fees incurred by students.

"I think it's ironic that we can have an abortion but we can't get condoms at Health Services," said first year Lindsay Sturges. "Adding abortion to the plan is a big step forward, but there should be more contraception available," she added. First year Greg Newmark disagreed: "Graduate students should be able to procure their own condoms. We're not in high school anymore."

Health Services will continue to provide short-term psychiatric treatment, which is available five days a week. Martin has also negotiated a contract with a local lab, which saves students at least 25% on all lab tests.

The budget for 1995-96 raises the physician and psychiatrists' salaries from \$70 to \$75 an hour. The nurse practitioners will continue at their current salary of \$55 an hour.

Moot Court

Continued from Page 1

Their brief placed 11th in the nation.

P. Lee Bailey National Criminal Moot Court Competition
Janie McClure and Dan Capone advanced to the final 4 teams in the semifinals rounds. Janie just barely missed the Best Oralist Award.

Federick Douglass Moot Court Competition
Shonda Hollinger and Elgin Lowe finished 2nd in the Western Regional Competition. Their skills earned them a chance to compete in the National Competition in Atlanta, Georgia.

Jessup International Moot Court Competition

The team of Rafferty Adu, Richard Chisholm, Alex Lakatos, Jonathan Lovorn, and Jolene Yee did very well in the Northwest Regional Competition. They won the award for Third Place Brief and placed Fourth Overall, with Rafferty Adu gaining the highest individual recognition of Best Oralist.

Pace Environmental Moot Court Competition

Team members Jeffery Karr, Philip Ferrari, and Guillermo Schlein brought Hastings to the semi-finals for the second year in a row. The team's brief won Best Brief for Appellate and will be published in a special edition of the Pace University Environmental Law Review later this year.

National Appellate Advocacy Competition

Both teams from Hastings made it to the Semi-final rounds of the Regional Competition. The team of Amanda Lamar and Amy O'Brien beat their opponents soundly, and the team of Marcine Gardner, Jonathan Hughes, and Steven Kalar placed in the top two teams in the Region. Out of the 70 oralists, Amy O'Brien won the honor of Sixth Best Oralist.

Congratulations are in order for the Traynor team and for all of the students whose hard work, drive, and desire helped make Hastings a Moot Court force to be reckoned with. Go Hastings!

THIS SPACE FOR RENT

Classifieds coming to the *Law News* next year. Advertise your books, ski equipment, apartment, etc.

Watch for information and rates this Fall.

Aerobics Steps into the Tower

Elke Hofmann
COURT EDITOR

When Golden Gate Fitness closed in February of this year, Hastings students lost access to free aerobics classes. Associated Students of Hastings had been paying \$500 per month so that Hastings students could use facilities at GGF, primarily so students would have aerobics classes.

In response to the closing, ASH began the process to provide students with on-campus aerobic classes. According to Jodi Shipper, former Director of Community Affairs, however, it was much harder than anticipated and several hurdles stood in the way. "I really thought it would be much easier," she said.

First, budget constraints have made it difficult to find trained and certified aerobics instructors. According to Shipper, most instructors get \$35-\$50 an hour, which, at the present \$500/month

budget would mean only 10-15 classes per month. ASH then tried to locate Hastings students who would be paid by the session. However, the few students who expressed an interest were not certified or did not have any aerobics teaching experience.

Additionally, Hastings lacked necessary equipment. Outside instructors indicated that they would not teach classes unless certain equipment was available, according to Shipper. "Everyone wanted something else."

The music also presented a problem, as instructors generally require a stereo system with pitch control, which maintains the speed of the music. While such a system is important for safety reasons, it is also very expensive.

Another minor setback was trying to schedule aerobics classes in the gym at times that would not conflict with most class schedules and intramural basketball.

Because of these setbacks, the on-campus aerobics program has

not been implemented this spring. However, the program should be up and running by fall 1995. According to Shipper, the administration has been extremely helpful and would really like to see this program happen. More money has been allocated for equipment, and before the end of this fiscal year, Hastings will be able to buy more steps (ASH already bought the used steps from GGF) and a stereo.

Moreover, first year student Karen Kramberg, an ACE certified aerobics instructor and personal trainer, will take over the aerobics program. She, too, believes that the fiscal problems have been worked out, and that the program will be ready to go in the fall, complete with high quality steps, mats, a stereo, and perhaps some other equipment.

"We're excited to be starting an aerobics program," she said. "It will provide students with an opportunity to have fun and stay healthy."

Hastings Bookstore

John Effinger, Manager
Erwin Gatchalian, Bookstore Assistant
Edwin Elie, Bookstore Assistant

Brian Bryant
Jeff Chandler
Kathleen Jason-Moreau
Fred Jenkins
Elaine Paplos
Michael Patrick Sullivan
Irina Tentser

Congratulates the Class of 1995 !!!

special congratulations to
Bookstore employees

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Alexandra (Ali) Van Slyke
Bob Alano
Mike Bonanno
Sean Brooke
Lesley Kim
Rowena Libang
Susan McAdams
Greg Neil Sarab

OPINION

Letters to the Editor

En Banc

45?!

"Welcome Back from your spring break" were the only shallow words Dean Mary Kay Kane could find to encourage students returning to find Hastings no longer a top 20 law school.

We at the *Hastings Law News* have a couple of questions to ask Kane:

1) Why did she wait to write her letter to the Hastings Students dated Friday, March 17, 1994, the Friday before spring break, when she knew about the *US and World News Report* nine days earlier on Wednesday, March 8? We did not leave for spring break until Friday the 10th. What, did she want us to enjoy ourselves during spring break? Did she think we wouldn't find out while flying back home? Kane knew about our rankings yet she said nothing.

2) Why did she inform the Hastings Alumni first on Friday, March 10 in a carefully drafted letter? What, does she think the alumni are more important than the current students?

3) Why doesn't she tell students what her plans are to lift our rankings once again to the top 20? Her letter was full of excuses and explanations, but there is not one word mentioned about her plans to bring Hastings back to top 20 status. Instead of explaining the past, why doesn't she have the courtesy to tell students her future plans?

4) Where was Kane about one month before the report came out? She knows that every year, we are ranked by this magazine. Why wasn't she on the phone with *US News and World Report* to find the facts or make her excuses and explanations known to the magazine? While it might not be that accurate, it is our scoring card. Doesn't she realize this? The *US News and World Report* ranking is like our football "track record" (no, Hastings does not have a football team). But constituents, future students, and alumni want to know whether we are "winning," not whether or not we have a good coach, running back, or defensive line. These people want to know our rank. This is a zero-sum game. 45 means 45. She can't expect future students to read her little letter explaining our drop. Rather, they will look at our scorecard, 45, and our skyrocketing tuition. Hastings will cost incoming students, California residents, about \$7,000 next year, not including the required health care package which will raise tuition to \$8,000 for the full package. That's \$8,000 for a public school with a 45 ranking! Many of us came to Hastings because of the prestigious ranking, not because the Tenderloin (Civic center to prospective students), or our beautiful tree-lined campus, or even our huge Beach. Sorry, Kane, despite popular belief, these features will not attract future students.

5) Did Kane send a copy of her letter to *US News and World Report* to explain why they are wrong? We think not.

6) Finally, we at the *Hastings Law News* would like to know why the administration scheduled the Board of Directors meeting, for the second year in a row, during Spring Break when no students are around? Is this mere coincidence? We think not.

Dear Editor:

I recently learned of Hastings' fall to 45th place in the *U.S. News and World Report* rankings. Frankly, I'm not surprised at the slippage in graduate placement, which is the main cause of the drop. Due to the great "success" of the LEOP program in admitting students who don't meet the "traditional admissions criteria" (i.e., qualities of excellence), the lower marketability of the average Hastings student in times of lawyer glut is to be expected.

While at Hastings I met a great many students whose speech and writing (judging from the "free speech" board) evidenced a severe lack of grammatical ability, to say the least. If we admit these students without also providing remedial education in spelling, grammar, and composition, the result is going to be graduates whose writing samples and job interview results will be less than stellar. Aside from (and in many cases, more than) high grades, the greatest demand of law firms today in hiring new law school graduates is writing and speaking ability. As legal jobs become more scarce, graduates with inferior writing and speaking skills will be more likely to be passed over, regardless of the prestigious name of their law school. Hence, our drop from 24th to 128th place in graduate placement. No surprise there.

Hastings' pursuit of political correctness at the expense of merit has a price, and it's time to pay the piper, that's all. No use our whining about it now.

Sincerely,

Eric M. Bram

Class of '93

Editor's response:

So, that's why our rank dropped so much. It's not because of the large class sizes, the slumping California economy, the competition from other law schools like *Boult and Stanford*, the large percentage of graduates who look for work in the tight *San Francisco* market, or even a less than aggressive *Career Services* department. Well, thanks for clearing that up Mr. Bram.

Dear Dean Kane,

45. Ha Ha

Steven Feinstein

Class of 1994

Editor's Note: This letter was sent to Dean Kane by former *Law News* Editor-in-Chief, Steve Feinstein and is reprinted with permission.

Open Letter to the Hastings Faculty:

Many students are very concerned about the danger of a reduction in the number of units they may earn for participation in Moot Court and on Law Journals. To put it simply, many students who want to contribute to the Hastings community by working on Moot Court or on a law journal find themselves thinking twice and asking themselves why they should do it if their work will not be adequately recognized.

To understand where the worry arises from, you must first remember what the current system provides. Presently, a Hastings student needs 88 units to graduate; a student does not need to participate in Moot Court or journals to receive her degree. Some students choose to participate in non-classroom activities that provide hands-on experience and perform vital functions. One of these activities is serving as a Moot Court Board member. For example, judicial externs write memos and orders for judges, clinical students argue motions and try cases for criminal cases and indigent parties, and Moot Court Board members directly advise students on writing and oral advocacy skills. Moot Court Board members' time and effort commitments go far beyond those of non-participating students.

A side-by-side comparison of a typical Board member with a typical non-Board member shows how much time and effort the Board extracts from each member. In the spring semester of her second year, the non-Board member will carry 15 academic units of traditional classes; her 2-unit classes require 2 hours of class per week. In that same semester, the Board member will carry 13 units of traditional classes, a Teaching Assistant for a Moot Court class the merit attend that class for two hours per week. In addition to that attendance, however, a Board member must meet each of her advisees (first-year students) each week. These meetings vary throughout the semester from a minimum of 5 minutes per student up to forty-five minutes in an hour per student. With six first-year advisees per teaching assistant, this means that the Board member must devote up to six hours per week to hold individual conferences with each student. Furthermore, the Board member must study the case problem for her Moot Court session, as well as the record and the parties' briefs, to be fully versed and able to counsel her advisees. Near the end of the semester, she also must conduct a mock oral argument for

each of her advisees, videotape it, and coach each student on the skills of oral argumentation.

All these efforts certainly are well-spent. The Board member gets the valuable hands-on learning experience via weekly analysis of legal writing, weekly analysis of legal arguments, and the continual client-counseling practice of individual student conferences. More importantly, the first-year student gets a knowledgeable guiding hand through the writing an appellate brief and preparing a first oral argument.

The comparison continues in the fall semester of the third year. The non-participant will probably take 15 units of traditional classes. In that same semester, the Board member will carry 13 units of traditional classes; however, acting as a T.A., this time for an Appellate Advocacy class. As a T.A., she is again required to edit and correct the students' written work every week, to hold individual student conferences, and to prepare students for oral arguments. The case-problems for Appellate Advocacy are larger and more complex than the first-year Moot Court problems, however and require substantially more preparation and analysis. In addition to this, she must also serve on one of the five Moot Court Board Committees, each of which requires a substantial amount of time and effort. The committees and a rough description of members' duties are as follows:

Topic Selection: Research general and legal media for current, interesting cases that have an appeal pending before either the California or U.S. Supreme Courts. Locate any lower court opinions, orders, etc., and obtain the parties' briefs and the official court record. Prepare case-problem packets for Instructors, Teaching Assistants, and students.

Member Selection: Solicit applications from successful Appellate Advocacy students for next year's Moot Court. Review each application, applying pre-determined criteria, and issue membership invitations to qualified students. Conduct personal interviews as necessary.

Competition: Act as a Coach or Co-Coach to a Hastings Intercollegiate Moot Court Team. Assist in brief preparation, research, and distribution of briefs to competition sponsor. Schedule oral argument practices, reserve names, solicit attorneys and professors to judge the oral argument practices. Also hold arguments for moot court

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Letter

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competition teams, including judging mock oral arguments, grading writing samples, and conducting personal interviews with each applicant.

Grading/Grade briefs and oral argument videotapes for the annual intracollegiate David E. Snodgrass Moot Court Competition.

Awards/Solicit sponsors for the annual awards reception and plan and schedule the entire banquet. The annual banquet recognizes those who have contributed to the Moot Court programs and awards prizes to the winners of the David E. Snodgrass Moot Court Competition.

Thus, while the non-participating students get 2 units of credit for a class, the Board member acts as a Teaching Assistant and performs Committee duties, both for only 1 unit. It is apparent that this present configuration barely recognizes the time and effort expended, and the sheer amount of learning experience gained, by Moot Court Board members. Any reduction in the number of units for Moot Court Board members will undoubtedly cause many students to choose the easy way out. This result harms not only the students who rely on their T.A.s to teach advocacy skills, but also deprives many upperclass students the valuable learning opportunity that Moot Court Board membership provides.

Moreover, even if a reduction in units is accompanied by a corresponding reduction in the number of units required to graduate, this too will serve only to harm those students who choose to give something back to Hastings with their Moot Court Board participation. Reducing the number of units required to graduate would not recognize the contributions made by Moot Court Board members, but would instead simply make graduating easier for students who do not do Moot Court — they can take fewer classes and still graduate. While participation in Moot Court or on a journal is not required, a policy that rewards non-participants is not in best interests of the school or its students.

Many students have asked me to voice those concerns to you. As direct beneficiaries of Hastings' Moot Court programs from both the Teaching Assistant and Adviser positions, we know how valuable the current Moot Court Board system is. Accordingly, we implore you to vote to continue the current policy of granting 3 units per year of commitment to the Moot Court Board.

Thank you.

Dan Capone III

Chairperson, 1994-95

Hastings Moot Court Board

Guest Editorial

Are LEOP Students Hurting Hastings' Reputation?

Ivan Gutierrez

Third Year

First, LEOP students include students of all ethnicities, including European Americans. The students are admitted because they have an economically disadvantaged background and they have a personal and academic record that shows that they are able to perform and excel in law school. Not all minorities students are in LEOP because some minority students do not have an economically disadvantaged background. With this in mind let me show you why minority and LEOP students are not hurting Hastings' reputation.

LEOP students have the same grade distribution as those who are admitted under regular admission. A year ago, this newspaper published statistics establishing that success in the bar correlates with one's GPA. Thus, by deduction, LEOP students have the same success rate as the rest of the student body.

Assuming that the figures given in the April issue of the *National Jurist* apply to Hastings graduates, minority first time bar takers would have a pass rate averaging 62%. Second-time takers would have a 70% success rate average. European Americans would have 81% success rate. During the Fall of 1993, 22% of the class of 1994 was minority. Assuming that the same proportion took the bar in July 1994, (.22)(.344)(.62) = .47 minority students out of 76 would have passed the bar and 29 would not have passed the bar. For the majority (.78)(.344)(.81) = .217 European Americans passed the bar and 51 would not have passed the bar. But, the actual number that did not pass the bar in 1994 for the class of 1994 was 38. This inconsistency between the number in the *National Jurist* and Hastings' actual number shows that at Hastings both European Americans and minorities are doing far better than the number suggested by the *National Jurist*.

Let's adopt the worst scenario described above for minority students and conclude that 29 minority students did not pass the bar. This means that 38.2% of European American students at least failed the 1994 July Bar.

Therefore, European Americans at Hastings also do not pass the bar. This is even if we apply the National Jurist numbers which do not seem to apply to Hastings' European American and minority students. And if we take in consideration that the Class of 1994 was only 22% minority, there is no doubt that there are more than nine European Americans who did not pass the test. Taking the analysis a step further, we find that if 29 minority students take the exam again, 20 out of the 29 would pass the test. Therefore, only nine students would have to take the bar for a third time like Pete Wilson, our governor, did. This is not bad in light of the socio-economic barriers minority students face in a race conscious society.

The fact that majority and minority students are contributing students that do not pass the bar the first time should present a common ground that illustrates a bigger problem that transcends race or ethnicity. Law school does not prepare you for the bar. The existence of bar review courses establishes this premise beyond reasonable doubt. Has anyone ever wondered why law students are forced to take bar courses in their second year rather than the third one? If members of the majority at Hastings who have had all the ways and means in our society are also failing the bar, it would not be a coincidence that minorities who are not well off or economically disadvantaged would have the tendency to have lower success rate in the bar. Therefore, I encourage all of us to improve our experience here at Hastings so we can all pass the bar. Perhaps the competitive environment at our school is not conducive to learning. Teachers seem to perpetuate an old teaching style that is outdated. It is no wonder why our profession has such a negative perception. Maybe Hastings needs to change its style and focus since the old rigorism is not even paying off in the marketplace. Schools with a different attitude and focus are doing better — UC Berkeley, for example. In short, we all worry about passing the bar. Therefore, pointing the finger at LEOP or minority students is not fair and is unreasonable. It's not based on

facts, but on fear and ignorance.

It is this type of behavior of the majority that is based more on fear and ignorance than actual facts that has resulted in Affirmative Action becoming a hot political issue.

Whenever the economy is weak, the mainstream looks for scapegoats. The majority blames minority programs for not having a job or being displaced in the job market. However, as at Hastings, European Americans do not realize that their problem is the mismanagement of resources by corporate America and the U.S. government.

This mismanagement has resulted in a decline in the ability of the U.S. worker and economy to compete in the global market. As a result, the level of investment in the infrastructure of our nation continues to decline while investment in other countries continues to increase. The end result is not less solid jobs but more low paying jobs. There is a smaller pie to be divided compared to the 1960's when the Civil Rights Act was passed by Congress. Therefore, for a majority to blame a minority for not having a job is not fair.

Instead we should adopt the following philosophy. The success of our fellow students, regardless of their ethnicity, is our success and the success of our school. For this reason we shall focus on making sure all of us learn the law together rather than against each other. If a member of the majority gets a job, I am just as happy as if a member of a minority would have gotten the job. Clearly, Hastings is one of the top schools in California. The goal of each of us as students should be to improve and work together rather than do what some of our forefathers have done in the past, blame each other. Our country needs new kind of leaders, consensus builders, team players, who are able to find common grounds by creating a win-win situation. We need visionaries and leaders who stand up for their beliefs. There are no individual rights without the common good. LEOP or minority students in this school are not a liability but an asset that we must all capitalize on.

Let's not forget that we lawyers are the creators of this society. If

we cannot achieve diversity at this level there is reason to believe we will never be successful in creating justice and fairness for all. Let's not forget that our nation was founded on the principle that we are all created equal by the almighty. Let's not forget that this nation is the result of the hard work and suffering of our forefathers, and that we have come a long way to create a society which has become the promised land for many around the world. Therefore, as future lawyers, we have a higher ethical duty to add value to our nation by creating a society that will be more fair and just to all its members.

Nothing is more beautiful than in understanding and to be understood by others. Nothing is more rewarding than to remove barriers between us, so we can create synergy, a greater force founded on mutual respect. Ignorance or fear of the unknown creates an imaginary world. Yet just as a rock is eroded by water, fear is eroded by new ideas and knowledge. Once the erosion of ignorance is accomplished, the imaginary world is dismantled. When this happens, we can all walk together as one, humanity. Affirmative Action offers our country the opportunity to erode ignorance by allowing our fellow minority citizens to share their ideas and knowledge with us in order to build a better future for all of us. LEOP has been doing this for the last 25 years at Hastings.

In conclusion, the goal of each of us should be to add equity and value to our nation. The current "you vs. us" mentality is anti-American and must become part of the past. This mentality goes against the spirit of our constitution. There are no individual rights without the common good. We need to work together. And as we see each other as members of one nation, indivisible, as a family, many problems like budget deficit, crime, poor economy, etc., will be easily solved. Perhaps we need to create a new word in the English language, **TEAMHOOD**.

Guest Editorial

Is Affirmative Action Unjust to the Majority of the Country?

Ivan Gutierrez

San Ysidro

The mainstream of our society believes that Affirmative Action equals reverse discrimination. Many individuals in our school believe that minority students at Hastings are here because of the color of their skin and not because they are the best qualified applicants. For this reason many students ask themselves whether Affirmative Action is fair.

A major criticism of Affirmative Action is that today's generation is not responsible for the mistake of the founders of our nation, so why should they pay for others' sin? It seems to be a logical and a fair question which should be addressed in terms of business perspective. When you buy a company, you assume the responsibility for that company's debt in return for the assets. If the company has debt to a group of individuals, you have to pay for it even if you did not make the decision to acquire the debt. The same way, the U.S. has a debt to a group of citizens who with their free labor built this nation against their will. If you are the son of an immigrant, it is because your parent came here for opportunities and safe haven (assets). Thus, your parents were buying a new way of life, a new company which you know it has some debt to pay but some assets in return: freedom and the right to pursue religion and happiness. They also allow more of the same to continue as well. What is ironic is that Affirmative Action benefits those same people who are complaining. The majority of women are here because of Affirmative Action. Why happens to marry the majority of these women? What about women owned businesses who are given preferences in private and public sector in the name of Affirmative Action or equal opportunity? Is it that today's European American women feel that they have to protect the same turf they now share with their male counterparts?

Affirmative Action is also criticized in that it goes against the concept of fairness based on individualized merits. And that for this reason minorities who are given equal opportunity under Affirmative Action are stigmatized as getting the job because of their race, not their skills. The number of minorities who benefit from Affirmative Action is very small when compared to the institutionalized

informal affirmative action that members of the majority are used to. For example, what happens to the inheritance that was obtained at the expense of slaves, whose group of people? When an European American applies to an Ivy League school and his parents are alumni who have given large donations to the school, his chances of admittance are greater. Certainly in the eyes of many this is not affirmative action, but it is when you look at the net impact. This certainly does not stigmatize the rich kid. Our society does not seem to find that this violates the concept of fairness based on individualized merits. To me that is certainly a kind of institutionalized informal affirmative action.

Another major criticism of Affirmative Action is that it leads to a quota system. According to the Supreme Court's interpretation in cases like Bakke, Affirmative Action is not a quota system. However, let's assume that Affirmative Action leads to a quota system. In this system, the competition between majority students and minority students does not really happen. What really happens is that the pie for the majority is reduced from 100% to 80%. In this 80% all the majority students have to compete among themselves. The same is the case in the other 20%, all minorities students have to compete among themselves. Therefore, to say a minority student is being given an opportunity rather than a better qualified majority student is erroneous because the majority student now is competing with his own kind. Thus, a doctor asking for the son of his friend to be admitted becomes harder. This is what the majority call reverse discrimination. I call it justice.

To compare a majority with a minority is like comparing apples with bananas. Minorities have been abused, treated like subhumans by members of the majority and they have not been given a fair opportunity to participate in our society because of the color of their skin for last 300 years. As Justice Marshall wrote in his dissent in Bakke, "a white people were marked as inferior by the law." Minorities may not now be inferior under the law, but institutionalized and informal racism is still with us. Minorities still attend poorly funded public schools with teachers who only encourage them to pursue vocational careers. High crime rates among minorities is

another byproduct of mainstream racism. But, for some reason, members of the majority suffer from amnesia. They expect minorities to have the same skills as the majority when the vestiges of the savage racism of yesterday are still with us. For this reason, I feel I must remind my fellow citizens of our history.

African Americans were brought against their will to the U.S. These people subsidized the building of this nation as slaves for more than 150 years. They were never paid for the work, the lynching, for the abuse and for the killing of their peers. With their sweat they built some of the universities, farmed to feed their masters and worked in the plantations which produced the cotton to provide the cash to build the industries in the North, yet they have been treated worse than animals. They have been denied the American dream.

Native Americans were purposefully wiped out from the face of the earth in order to build our nation. I do not know how you feel when somebody comes and takes your land from you and kill your family. Because that's what the Europeans did in the North and South American continents.

The history and suffering of other non-Europeans in the U.S. is not less. For example, Mexicans were killed and removed from their lands in the Southwest and when they revolted, the Grijon accused them of being savage, less than human and a "bandito." As a result, as Mexicans became a landless society, they were forced to isolate into barrios like East L.A. Mexicans continue to be stigmatized as "bandits" by Hollywood. Today, farm workers, mainly Latinos, who come to the U.S. due to the meddling of the Federal government in the internal affairs of their nations, work in conditions which are not acceptable to any U.S. worker. As in the past, these workers subsidize our economy by providing us with cheaper agricultural products and services at hotels and restaurants. They are also exposed to pesticides at levels that would not meet OSHA safety standards. Without these immigrants and farmworkers, California's economy would be dead. Yet, Latinos are labeled as "lazy" and blamed for their problems.

After 100 years of so-called legal reforms, minorities face the same poverty, suffering and isolation from the greater society. The majority justifies this reality

by saying that minorities do not want to assimilate or become part of the melting pot like others. The problem is that they are not allowed to assimilate by the majority. The melting pot concept applies to those who are Europeans' descendants, or those individuals who completely strip themselves of their cultural values, and even then, the majority would not allow a minority to become part of the mainstream. Deep inside, European Americans do not accept anyone who does not think or act like them. The Jewish, Chinese, Japanese, Mexican experiences in the U.S. speak for themselves. But for the latter three groups like African Americans, the color of the skin with their cultures continue to be a source of discrimination. Anyone who does not transform is considered to be a threat to the power structure. Many individuals have made the connection that newly Asians are highly successful in America because they work hard and have discipline. This is a gross stereotype of Asians since many of them find themselves in the same boat as other minority groups. However, the success of many recent Asian immigrants is due to the process in which they came into the United States. They have not dealt with the constant pondering on their minds that they are inferior, stupid and less because of the color of their skins as other groups have. They have not paid the high price of being abused physically and psychologically generations after generations as African and Native Americans, Mexicans and Puerto Ricans have been subjected to by the majority. Furthermore, these successful Asians find themselves limited to jobs that prevent them from becoming the decision maker as is the case of other successful minorities.

Consequently, minorities would continue to be disadvantaged as long as the majority of our nation does not realize that what minorities are really asking for is respect of their dignity as human beings. Europeans continue to look at minorities as less and as lower than Europeans. No matter what your profession is, or where you work, a minority always fears being accused of something he has not done, and feels he has to work twice as hard. A minority is always implicitly forced to feel ashamed of himself. Japan has learned the lesson that minorities commit most of their crimes not

because there is something inherently wrong with minorities but because they are not respected and made feel part of the larger society. It is not coincidence that minorities have only a grosser representation in the jails of this nation. African Americans and Latinos composed 60-80% of the jail population. But, European Americans expect minorities to believe in the criminal justice system.

In the case of women, billions of women are still subjugated in the will and misurement of their husbands and man's system of governments throughout the world. The U.S. is not the exception in this. Men continue to treat women as less able and incapable of assuming positions of power. This sense of superiority by man is based on ignorance in order to institutionalize his superiority. Women's physical and mental capacity have been well documented throughout history. Their labor and work at home have never been recognized as a subsidy for the building of this nation. Their suffering and deprivation are also well documented in the history of our nation. Like minorities, by denying women their right to fully participate in our society, we are depriving ourselves of new ideas and wasting more than half of our minds. Affirmative Action has allowed women to free themselves from man's chains.

Sexism and Racism are the worst enemies of our nation. They will destroy us. The solution is in our hands. History and the status quo should "shock the conscience of any civilized society." Minorities are growing at a faster rate than the rest of the population. A great portion of our children are also born to single mothers. The children of this people are our future.

Affirmative Action is a small price to be paid when we look at the historical debt our nation owe to these individuals who even after being isolated from society they are willing to die for our nation. Something I am sure Clinton can never claim. Affirmative action is also an investment for our future. In my view, Affirmative Action is a public policy which will allow all of us to be richer in the long run. New ideas and solutions for solving our nation's problems will come from these individuals. This is something no other country in the world can ever claim. Our

Minority

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diversity is a resource that we must capitalize on. No other country in the world can have managers who have the same culture and views of other markets who also understand our way of doing business and are part of our team. Overall, minorities heroism during the last four wars is well beyond their numbers. During the Viet Nam war they did not flee to Canada or enroll in school like Dan Quayle/Clinton did evade the draft. Their loyalty to this nation is 100% unlike some people, yet, they are treated unfairly by members of our society.

Until we Americans see each other as one nation, one family, and truly respect each other, we will become the society that will lead the world for at least another 200 years. Otherwise, we are doomed. If minorities are not respected and feel part of our society, there is not going to be a workforce ready and able to compete with formidable competitors like Japan, Germany and emerging competitors like China. Affirmative Action is a very small piece in light of the present economic threat and reality of the past and the present.

Hidden Disabilities Should Be Accommodated Internationally

Eván Oshan
GUEST COLUMNIST

In defining disability, the United Nations should focus on hidden as well as visible disabilities.

Schizophrenia, personality disorder, anxiety disorder, manic-depression, depression and post-traumatic stress disorder are some of the mental impairments that are protected under the American with Disabilities Act (ADA). Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotion or mental illness and specific learning disabilities, is considered a "mental impairment." The United Nations should utilize these as well as other precepts of the ADA to broaden their definition of disability.

The United Nations 1971 Declaration of the Rights of Mentally Retarded Persons and the 1975 Declaration on the Rights

of Disabled Persons served two important functions. First, they acknowledge disabled persons are entitled to the same rights as other human beings. Second, they assert disabled persons are entitled to the measures designed to enable them to become as self-reliant as possible. Although they define disability to include mental disabilities, they do not properly address issues specific to the hidden disabilities listed above. We should encourage the United Nations to utilize the precepts of the ADA and incorporate resolutions which address issues specific to hidden disabilities. This goal can be realized through educating the evolving world community about both visible and hidden disabilities. An educated world community will be more inclined to level the playing field.

As technology advances and the world becomes more tightly linked, opportunities for the disabled advance as well. In 1995 policy makers should develop strategies to encourage the involvement and participation of disabled persons and the mentally retarded into the mainstream.

In accordance with the merging 1995 United Nations charter, member states should be expected to promote the concept of reasonable accommodations for the mentally disabled. This can be done using methods similar to those described in the Equal Employment Opportunity Commission's (EEOC) ADA Technical Assistance Manual, which illustrates how reasonable accommodations could permit a disabled worker to function in the main stream without imposing undue hardship to the party in compliance.

Edwin's Note: This statement was originally presented at "Should Differently Make a Difference? An International Symposium on the Rights of People with Mental Retardation" at Yale Law School, March 24-25, 1995.

So Long, Farewell ... but not Good-Bye

Elaine Paplos
OCTAGON BUS JOURNAL

It's been a long, interesting year. I am leaving the *Law News*, which has been my home, my guardian angel, my big trash bin for the past two years, for the ASH office down the hall.

This is my chance to personally thank the *Law News* crew. At the beginning of the year, second year Eric Johnson was my right hand man. He knew everything, and if he didn't, he found out. Eric was our source reporter. First year and practically wrote three front pages, every edition. However, Eric finally got sick of all my flackiness and left the paper sometime in February.

First year Elke Hofmann was next year's Eric. Elke was a copy editor this semester and a great help with layout and transporting the *Law News* (hand copy) to the printer. Elke has been extremely helpful since day one.

Robert Tanner, a.k.a. THAT FORK GUY, left us for the last part of the year as Features Editor, but his Singing Cat lives on. He is a two-year veteran on the *Law News*.

First year Rachel Meyers was a Goddess. She filled Robert's shoes and diligently filled the features page with restaurant reviews, movie reviews and male reviews. We all loved eating Rachel's work because there were never any mistakes. She is next year's Lesley Kim (Executive Editor). Ahh, I will miss her.

Lesley Kim is Webster's definition for "Godsend." She was elected Executive Editor by unanimous consent while the two of us were laboring over the yellow shirts in the Blackstone. I personally, as the President of the Lesley Kim fan club, I paid good money to join. And, in quote, Andrew Herman's (next) famous words, "she practically runs the school." He's right, I agree. Everyone knows Lesley, everyone loves Lesley. I am going to miss her from the bottom of my heart [yep, I'm weeping].

Rich Jankowski was a two-year veteran *Law News* paste-spitter who did the lay out for the paper every single edition. He never missed one. But, he did miss production weekends in go-skiing with his girlfriend, Vicki. I still take it personally that I was never invited. In the two years he's been here, he has gone from Angry Man to Generally Nice Guy. We all have Vicki to thank for that. Yes, Rich, I know she has an identity separate from your own. To give proper credit, as opinions editor, Rich started the editor's responses to the letters to the Editor.

Andrew Herman is next year's Rich. Andrew diligently wrote his column, "From My Side of the Court" every edition, save one, where sports guru Lesley Kim had to take it over. Andrew retired, however, to see the record straight. And, we forgot to put his name next to his very first column. I'm sorry Andrew and your return was well deserved. I am confident Andrew will do a great job as opinions editor.

Jrina Tenter is a two-year veteran and has worked as staff reporter and business manager during her time here. She has weathered through having her name misspelled and omitted many times, but she is a dedicated *Law News* staffer. Jrina will be the only third-year veteran on the *Law News* staff next year. She will be co-copy editor along with Sarah Levitan.

As a reporter, Sarah continuously took on the toughest news stories. Steve Anderson was a year and a half veteran of the *Law News*. But, he left us in January. For some reason, he stopped doing the photos, the pedestrian interviews and the copy editing. Too bad, since he was such a diligent first year. I overheard him saying that he only liked doing the *Law News* because we have good food and a good laser printer. I'd like to think otherwise.

Law, but never leave. In real year's Big Janitor, Connie Standley. Connie practically keeps the paper going. She's the only one who knew PageMaker, or the only one who would admit to it. Without Connie, there would have been NO *Law News* this year. Steven Forstman told me I would be able to learn the program in 10 short lessons or less. Well, I didn't, and Connie came to the rescue. I am confident that Connie will crack the whip and do an excellent job next year.

There is not enough room to thank everyone personally who contributed to the paper this year, like Martin Pihl, Jasmin Dazmiz, Brian Snyder, Michael Ehrlich, Jacob Bray, Amy O'Brien, Albert Liu, Gyanjyoti Mohindra, Hebe Smythe, Ken Sumner and Luca Kruse. Their names have appeared in our contributors box throughout the year. It's amazing, in me at least, how a group of law students can hang together to keep a student newspaper alive. There were very times this year when the articles were low and not forthcoming. This is everyone's newspaper, it's not the *Law News* exclusively.

A short history lesson about the *Law News*. In January, 1990, editor in chief John Andrews and his gang came back from winter break to find the doors to the *Law News* locked. The administration changed the locks on the *Law News* door because they didn't like what the students had written about the controversial WESTBLOK. The students hired Professor James Wagstaff to represent them in a lawsuit against the school. They were successful and as a result, the *Law News* became completely independent and self-sufficient. It is funded solely through advertisements (now you know why we had the Discover Ad this entire year). None of your student fees goes to the *Law News*. This is truly the student voice. From Dialogue Comes Truth. This is our motto.

HASTINGS LAW NEWS

| | |
|-------------------|-----------------|
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Editorial Policy Statement

The *Hastings Law News* is the monthly student newspaper of the Hastings College of the Law. Signed opinion articles, when clearly marked as such, represent the opinion of the writer and not that of the College or the *Law News*. Unsigned editorials represent the opinion of the *Law News* Editorial Board only and not that of the staff editors or writers. Nothing in these pages should be construed as being the opinion of the College, its Board of Directors, or its General Counsel.

News, feature, and opinion articles are accepted from the community in large as well as students, but publication cannot be guaranteed. Prospective opinion writers should contact the editor-in-chief early in order to reserve space in the next issue.

The *Law News* welcomes letters to the editor. Letters must be signed and include the writer's phone number. If possible, materials should be submitted on disk. Long letters may be edited for length. Requests that names be withheld will be considered. Letters that have appeared on the Community Comment Board or are submitted anonymously will not be printed.

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"From dialogue comes truth"

This is the last edition of the *Law News* for the 1994-1995 School Year. See you in September. Have a safe summer. Don't Drink and Drive.

FEATURES

Hey Baby, What's Your Sign?

Luca Krause
STAFF COLUMNIST

If today is your birthday: You are frisky, outgoing, precocious, and a bit stinky. Some people say you are a jive-talking leatherhead with roller skates and a yo-yo. Today is a day to take chances in your job, take chances in relationships. So just get on the floor and do the New Kids dance.

Jack in the Box — "The E-Coli" (March 21-April 19): On the outside, you present an appearance that is crispy and somewhat flaky, but inside, your true soul is starchy and moist. You are quick to fall in love, and quick to fall out of love; for example, your sordid history with the Chicken Sandwich: deliberately underpriced in a cynical bid to put a big crispy monkey on your back, this 99 cent Casanova left you with a broken heart and a serious addiction. The shame.

Subway — "The 12-Incher" (April 20-May 20): Your greatest asset is the ability to make choices in school as well as in life. Wills & Trusts vs. Oil & Gas, Oil & Gas vs. oil & vinegar vs. salt & pepper vs. vinegar & water. You make the call because you can. Don't you dare get a side order unless it's fresh from the deep-fryer.

Carl's Jr. — "The Abortion Clinic Assassin" (May 21-June 20): Take a chance on friendship, and also the Santa Fe Chicken Sandwich. The latter will bless you with an unimaginable bounty of taste. Your plan to market Desert Shield Party Liners will ultimately fail.

McDonald's — "That Goddamn Thieving Piglet" (June 21-July 22): Your ultimate ambition is to be served piping hot. Make excuses for your shortcomings today. Wendy's people will capture your attention this week, and a thorough spanking may be in store for you next week.

Der Wienersehnitzel — "The Chai Cheese Covered Employee" (July 23-Aug. 22): You are constantly innovative and in flux. Ask for the gang member discount. They no longer have a requirement that you show proof. Blame someone else for one of your mistakes today.

KFC — "The Bucket of Fried Skin" (Aug. 23-Sept. 22): Take up a new hobby, perhaps smoking. Arby's people will play a role this week. Cash prize tomorrow.

Taco Bell — "The Border Guard with Shock Baton" (Sept. 23-Oct. 22): Someday soon, your dreams will be fulfilled and you will transfer to a top-44 law school. This week a cancer will start to play a very significant role. Not the zodiac, sorry.

Popeye's — "The Rajun Cajun Held On Charges of Molestashun" (Oct. 23-Nov. 21): Look to the person on your left. Now look to the person on your right. Now turn back to the person on your left and spread a cruel rumor regarding the person on your right, possibly concerning a venereal disease. Lauder, rinse, repeat.

Arby's — "The Outsize Western Novelty Hat" (Nov. 22-Dec. 21): Don't question what goes into the Horse Sauce, just do as it commands. You were never so much afraid of Casper's ghostliness, but more of his simmering neediness. He's the enabler, not you. Love will reappear for you in the form of a Giant Roast Beef. Seize it and have your wine with it. Don't fear the reaper.

Burger King — "The Horizontally Ignored Burger Queen" (Dec. 22-Jan. 19): Your shameful secret life includes: you won the "Miss All That" contest on Ricki Lake, you've thrown away a pair of jolly panties on the way to one Mr. Tom Jones, and you've seen Shawn. Some all the stage up to the corvix, but still don't think too highly of her. Beware combo meals; they don't serve your best interests at this juncture.

Wendy's — "The Freckle-Faced Pigtailed Enchantress" (Jan. 20-Feb. 18): You are a club-footed arid-assed child, with the complexion of a 13-year old Malibu Tan. You are Poise-cold and Blossom-pussy. Stay home today.

In 'N Out — "The Beast With Two Backs" (Feb. 19-March 20): You have a very successful future, you will merge — a JD, a high-paying job in a civil rights defense firm, you will sue against all your principles, have several marriages and divorces, primarily for tax reasons, then you'll lose your job in corporate layoffs...Did I say success? It's...it's cloudy, it could go either way.

You're Going Out in That?

Lesley Kim and
Rachel Meyers
RESIDENT CULTURE CRITICS

Well, Oscar night (or *not* as they say in Pretentious Land) has come and gone. Now, this article could be a serious commentary about the lack of critical merit in many of this year's Oscar winners (uhhh, can we talk about *Forrest Gump*?), but we'd rather not. We're rather a shallow pair of chicks, and what we *really* care about is what people were wearing.

This year's show had its share of winners and losers on the clothing scale, but the surprising thing was how many chic, glamorous outfits the "stars" (or so they consider themselves) wore sporting.

Lesley: "I really liked Uma Thurman's lavender A-line number with white shawl. She looked like an angel, with a twist of 40's glamour gal. The pastel theme was very new."

Rachel: "Jennifer Tilly told the Star she just loved her Isaac Mizrahi dress because 'it's like a Barbie doll dress.' Great, so now she can be a Barbie inside and out. Isn't that what Oscar night is all about? One pointer, Jen babe: its inside the dress."

L: "Yeah, what was up with the boob thing this year? Hello! Sarah Jessica Parker was leaping out of her black Calvin Klein number. Yeah, those are real, huh?"

R: "And Rita Wilson: happily married, mmmh 'I love you' to hubby Tom Hanks during his acceptance speech, so why the

frontal exposure? A miracle of fabric engineering. I've never seen more done with less. One last thing: speaking of less, Bianca Jagger. Say no more."

L: "Tis, tis, tis. It's rather disturbing, isn't it?"
R: "You don't see men with their flies busting at the seams. Although that might be fun. Maybe next year: the Armani crotchless tux. Everyone will be wearing it."

L: "Yeah, there's John Travolta showing off his new penile enlargement. It'll be thrilling. But anyway, how about Lizzy Gardiner, winner for Costume Design for *Priscilla, Queen of the Desert*? Her Ames dress was to die for. Just don't get close to her with a magnet; you'll demagnetize her skirts."

R: "How about Oprah swathed in brown shiny stuff? It's like, sweeter, you're not the cheesiest thing ever. Likewise Sigourney Weaver, ornamented with lace, beads, and satin in her Lacroix dress. Fashion editors (other than ourselves) loved it, but I thought it was way overdone, even by Oscar standards. I mean, a train? Drop the Princess Di fantasy, OK?"

L: "Uhh, about how the rather loud multi-strapped Natalie Cole was sportin'?" As my friend Victoria would say, "Try again, babe. This time with the lights on."

And on the subject of colors, what's up with Sharon Stone's hair? She looked like a cheap Raggedy Ann impersonator."

R: "Barbara Walters was a class act. In her pink suit, she

demonstrated that she didn't stay on top in a ruthlessly competitive business by flashing her tits or squeezing herself into a shiny gold Versace dress that wouldn't have looked good even on Claudia Shiffer — a la Sally Kellerman. It's called the halter, or you're over it."

L: "Me-ow. My vote for best dressed was the lovely Jodie Foster in a modest, yet curvy black and gold Armani dress. She looked fab, but what was up with that guy slobbering all over her during the pre-game show? Are we trying to make a statement?"

R: "Natasja Kinski's dress looked like drapes from the '70's. But I hear date Quincy Jones digs the '70's. Here are my votes for best dressed: Rene Russo in Armani suit; Ellen Barkin in sumthin tight and black and obviously expensive, and Sally Field in Chanel. The men all looked the same, pretty much."

L: "Yeah, no variety. Though I am concerned about the lack of ties trend. Memo to Tom Hanks: you look like a Starship Enterprise officer."

R: "I saw more of Jasmine Guy's ass than I ever wanted to. She takes away the worst dressed prize: purple plus fishnet plus sprayed on. No thank you, Lesley!"

L: "Yes, Rachel!"

R: "Is the waier ready?"
L: "I'm not that much of a Prince fan, OK? But it's been fun doing the Joan Rivers thing with you."

R: "Anytime, babe. Here's to next year's Oscars..."

Features Briefs

HASTINGS GOLF TOURNAMENT

The annual Hastings Golf Tournament, with an all-time high of 80 participants, roared through Lincoln Park on April 7. Tournament sponsors included Bancroft-Whitney, BarBri, and the Associated Students of Hastings (ASH).

Participants competed in several categories, including single and coed divisions and "Longest Drive" and "Closest to the Pin" contests. Maria Montes, women's division champ, said, "I had a great time. The tournament is set up so you can have lots of fun even if you're not an experienced golfer." Other champs were: Anne Jones and Bryan LeRoy (coed), Ted Angus and Mike Richmond (men's division), Anne Jones and Ted Angus (Longest Drive), and Mike Richmond and Anne Jones (Closest to the Pin).

Tournament Chair, Anne Jones, was pleased

with the outcome and the work of rather Golf Tournament Committee members Bryan LeRoy, Rafael Aguirre-Sacasa, Jeff Brown, Jeff LeCoul, and Jody Shipper. "It was a great day, despite the rain," Jones said. "I definitely hope everyone comes out next year."

LAW REVUE DIES

The Hastings Law Review, a long-standing tradition of pure silliness and mirth, died last month. The annual student comedy show produced by the Hastings Players was cancelled due to a severe lack of mirth.

In its place, the Hastings Players, in conjunction with ASH and the Hastings Alliance of Gays and Lesbians (HAGL) sponsored a beer on the beach with entertainment by a group of "cloggers" led by Julie Emede, 3L.

Entertainment For Tonight

Lesley Kim
EXECUTIVE EDITOR

Well, spring is in the air and guess what's new? Why, the replacement TV season, of course. And that's just pleasing as punch to an old, grizzled couch potato queen like myself.

Fox's latest entry into the world of the weird is the very self-consciously hip, too-very-cool-for-you, "VR5" (Fridays at 9 p.m., Channel 2). This one-hour celebration of hype and technology has the choice position of lead-in show to the enormously popular "X-Files" (which, if you've never seen it, is a great reason to stay home with a big pig) to Ben and Jerry's on a Friday night).

"VR5" involves the exploits of a young blue-collar woman, Sydney (played by Lori Singer of *Footloose* and *Short Cuts*), who gets her kicks from emerging herself in virtual reality. Sydney is mixed up with a mysterious band of techno-dudes called "The Committee." Who or what the Committee is and why Sydney is mixed up with them is woefully ancillary to the super-groovy special effects. This show is all image and no plot. But its style actually draws you in and keeps you watching. The constant shifting between virtual reality and TV reality is a bit disconcerting, but it's a refreshing change from the typical linear-narrative style of your standard hour-long TV drama, I like it.

NBC is trying to extend its sitcom "Must See TV" magic into Tuesdays, supplementing my favorite show, "Frasier," with "News Radio" at 8:30 and "Pride and Joy" at 9:30. The results are a pretty mixed bag, but we've got some promise going on here.

"News Radio" is the latest

creative outing for director James Burrows of "Cheers," "Frasier," and "Friends" fame. It features the ever-captivating Phil Hartman, who plays Bill, the blasé news vet of WNYX Radio. This show is not altogether exciting yet, but it has some heavy hitters in its cast, including Dave Foley of "Kids in the Hall" fame, like the co-creators of "WKRP in Cincinnati" and "The Mary Tyler Moore Show" at work here, and my guess is this show will be much better once its supporting characters are better developed. For now, Phil Hartman is reason enough to tune in.

In contrast to "News Radio," "Pride & Joy" has almost no redeeming qualities. The premise of the show is to have two sets of young parents sit around and kvetch about how terrible their sex life has been since having babies. This premise couldn't save "The Mommies," and it's definitely not doing anything for this show. The fact that half the cast simply cannot act their way out of a paper bag does not help. The only redeeming quality about this show is the hilarious Jeremy Piven, who plays neurotic house-husband Nathan Green. You may remember Piven from *Singles* (as the fast-talking grocery clerk), or in *Say Anything* (as the guy John Cusack screams, "You must chill!" at). He's not very subtle, but hey, he's funny as hell and that's all that counts.

The spring season is, of course, just a replacement season. The offerings aren't all that exciting, but I hear that "Sliders" (Wednesdays, 9 p.m. on Channel 2), is a rocking good "Quantum Leap"-type, light sci-fi show. Check it out. I know I will. And for all of you who are wondering how I have so much time to watch TV.—I HAVE NO FINALS!!!! HAHAAHAHAHA!!!!

Rockin' With Pantera

Rich Jankowski
OPINIONS EDITOR

On March 30, 1995, I went to the quaint and ever-charming San Jose Civic Memorial Convention Hall Center Plaza Thimpo to see Pantera. I had seen Pantera on the start of this tour back in April '94 right when its latest album, *Far Beyond Driven*, reached number one on the Billboard charts. Back then, the boys were fresh, tight as can be, and, of course, totally wasted. After all, the name of the tour was something like "Smokin' Weed Across America." Well, almost a full year on the road took some of the edge off Pantera. On this evening, they were goofing around, throwing food and such at the opening band, and, of course, totally wasted. In the words of Beavis and Butt-head, Pantera kicks ass. Because of all of the end-of-the-tour bull, the show was a little disappointing. But this is Pantera we're talking about, so the lowest I can give them is an 8.

Once again, the crowd was

really young (or am I just getting old?). Anyway, it was the typical, timeless heavy metal scene. Adolescent boys trying to be "all bad ass," snickin' Marlboros in by their Zippo. Adolescent girls going for either the tumbler or metal slut look. Above it all, a vast cloud of dope smoke collected. Ah, the fond memories it all conjured up. During the break between the opening band, Type O Negative (which utterly sucked) and Pantera, I hung with my amigo Dave and with people watching. Teen angst is so entertaining. Once the show started, I immediately went berserk and lost all sense of my surroundings.

That is the beauty of Pantera's music, the release of frustration it engenders. It is heavy, furiously paced, and intense. The recurring themes are personal degradation and righteous anger at the stupidity of the world. Hostile lyrics are coupled with precise, driving rhythms that become quite complex at times as the drummer, Vinnie Paul, demonstrates his

complete technical mastery of his double bass kit. The guitar work is obviously influenced by Sabbath, with Vinnie's brother, Dimebag Darrell, getting the fastest, nastiest sound I have ever heard from his instrument. Rex, the bass player, doesn't do anything spectacular, but he doesn't have to. Phil, the singer, steals the show, moaning around on stage and venting his spleen between songs.

Here are some memorable highlights of the show. There was this particularly long pause in the music caused by Phil searching on stage for a way to light yet another joint that eventually led to him grabbing Dimebag's guitar and launching into a Slayer riff. I was impressed. Then, the obligatory heavy metal drum solo was turned into performance art by some super tripped out man dressed as a cave man who started to do this incredible aerobic "dance." I still don't know what to make of it (or what the guy was on). What an evening.

—Rich Jankowski

Short Takes

Rachel Meyers
FEATURES EDITOR

Muriel's Wedding

A Cinderella story with a twist, *Muriel's Wedding* has some incredibly funny moments. Muriel, a dumpy misfit, is dissed by her so-called friends, the popular girls in her hometown of Porpoise Spit. Addicted to shoplifting and Abba, Muriel fantasizes about the day when her life would be as good as an Abba song. She escapes her critical adulterous father and hopeless mother by cleaning out their savings account and following the popular girls in Hibiscus Island. There, she meets up with Rhonda, who befriends her. They win the

lip-synch contest and take off to start a new life in Sydney. In the big city, Muriel changes her name to Mariel and daydreams about a fairytale wedding. Although the film is full of clichés (the overlooked by next door who is really Mr. Right, finding out who your real friends are, etc.), the cast is terrific. After all, even Abba songs have a lot of hidden meaning, y'know.

Exotica

This enigmatic little Canadian film is intriguing and atmospheric. Set in a Toronto strip club (the Exotica of the title), the interlocking plot revolves around the people who work in the club and their customers. A schoolgirl stripper, a smuggler of rare birds,

an accountant and the club DJ are all caught up in chasing the ghosts of the past. In the first scene, the accountant drops off a teenage girl after her father's sleazy apartment and pays her, saying "Same time next week?" Like most things in this film, nothing is quite what it seems. He's been paying her to come to his empty house to babysit for a daughter who no longer exists. Wearing her school uniform, her body is found in a field. Later, we see the stripper in an identical outfit, the club's "look but don't touch" rule tormenting the customers. Director Atom Egoyan has crafted a stylish, dark meditation on the more sleazy corners of the soul.

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Ask Lana Luv... ADVICE FOR THE LOVELORN

Dear Lana:

I recently started dating this great guy. He's employed, not a member of any 12-step group and gets along with my cats. Here's the problem; the first time we had sex, he pulled out this outfit and begged me to skip around the room dressed like Little Bo Peep, while he made sheep noises. So okay, I did it. It didn't exactly heat up my oven, but I did it. Now he says it's sheep shearing season and he's given me an electric razor and a big pot of grease. Maybe I should use a caule prod to shock him out of playing these reindeer games. What do you think?

—Farmer Bob

Dear Bob:

If you were a real farmer, you'd have no problem at all playing with a sheep. Since you're obviously a real civilized boy, you're not used to it. So do you follow the herd, or roam in a small pack of like-minded animals? Isadora would say there's no right or wrong, two consenting adults, if you like it go for it, but I say he's one sick pup and you should saddle up and mosey on outta there. I mean, what's so exciting about sheep? A donkey, now that's a challenge.

Dear Lana:

At a party, I met a delightful Scottish exchange student. As we were talking, he gazed meaningfully into my eyes while describing the myriad beauties of his ancestral homelands: the lochs, the perpetual rain, the indigestible food. Then, he licked my palm while fondling my knee. As the party was degenerating into a shameless drunken orgy, I had to go to the bathroom. When I came back, he was gone. I'd really love to rumple his kilt. Do you think he's interested?

—Eurochick

Dear Euro:

What do you need, a written invitation? A roadmap pinned to his chest with an arrow and directions saying "this way to Heaven"? And what made you go to the bathroom at such a critical moment? All is not lost, however. Call him up and ask to photograph his Loch Ness monster for posterity. Even if it doesn't work out, you can sell the photos to the National Enquirer. "Scotsman Has 26 Inch Penis! American Girlfriend Intrigued! 'I Was Drawn to It Like a Moth to a Flame,' Confesses Comely Coed."

Dear Lana:

I'd like to thank you. Your advice has singlehandedly brought me back from the brink of despair several times this year. You are such a goddess.

—Secret Admirer

Dear Admirer:

Stop. You're making me blush. People will think this letter is fake.

Restaurant Review

Maxed Out at Opera Plaza

Rachel Meyers
FEATURES EDITOR

Four or last girls' restaurant review, we trooped down the street to Max's Opera Cafe (in the Opera Plaza at Van Ness and Golden Gate). Our stomachs were empty and our hearts were carefree. Little did we know that an hour later we'd be dragging ourselves back to the *Law News* office, weighed down not only by the food we'd eaten but also by the leftovers we were carrying (the strawberry shortcake took up TWO containers!).

Our waiter looked particularly solemn, like he'd just heard some bad news or had a serious wedding when he called up to our table. He asked, "Would you like anything to drink while you're looking at the menu?" In sonorous tones that implied that his real meaning was, "Would you like anything to drink while contemplating the inevitable pain of death that haunts us all?"

Connie Standley, stealth orderer, slipped an order for potato skins with bacon past the rest of us, so their appearance caused some confusion at the table. I abstained (like Samuel Jackson in *Pulp Fiction*, I don't eat pigs), but

it was sampled by Connie, Elke Hofmann and Lesley Kim (who is justifiably proud of making it to every *Law News* restaurant review this year). "It's pretty greasy," Lesley whined. Elke stood up for it, saying "I like it greasy." That's what we hear, babe.

After perusing the extensive but hardly titillating menu, we settled on Asparagus and Pasta Lite (a featured item on their California Fresh Asparagus Festival special menu), the Vegetarian Clob Sandwich, Broiled Chicken Breast Sandwich, and a Spanish Prawn Salad with Max's Caesar dressing (cholesterol free! excitement!). We all spurned the diet menu, which featured sandwiches on "petite buns." As I pointed out, petite buns sound like something to squeeze, not something to eat.

When the food arrived, we were less than thrilled. Elke's asparagus was much improved by liberal doses of salt and pepper. The Veggie club was so big I had to dislocate my jaw to eat it. Billed on the menu as including grilled eggplant, tomato, cucumber, cilantro, guacamole, feta and spinach with pesto mayonnaise, it was a schizophrenic combination

totally dominated by the obsessive-compulsive feta. Lesley's prawn salad featured cold, hard, baring prawns and diffident lettuce. Connie liked her chicken sandwich, which came with some mystery sauce and fried onion.

Largely disappointed with our entrees, we turned our attention to Max's desserts. At Lesley's insistence, we ordered four offensively huge desserts. The mousser strawberry shortcake was literally a quarter of a cake. If it was in a bin, it would have said, "serves 8-10." The Chocolate Raspberry Decadence Cake lived up to its name, and even Lesley, Queen of Chocolate, could only make a halfhearted dent in it. Elke's éclair featured vanilla and chocolate custard. Nuff said. Finally, Connie's chocolate chip cheesecake didn't have chocolate chips in it but just got it. She was very disappointed.

We needed out into the street, totally incapable of conversation. Maxed out, we made our way down McAllister in a trance. Our suggestion: go directly to dessert. Do not pass Go. Do not collect \$200.

Officers Unite for a Safer Hastings "Campus"

Shannon O'Hara
STAFF WRITER

June Norman, president of the Hastings Public Safety Officers Association, is a woman on a mission. The Association, the first and only employee union at Hastings, is currently negotiating its first collective bargaining agreement and Norman is looking for a little respect.

The Association would like to see a full-fledged police department. Peace officer status allow the public safety officers to arrest and detain persons, a capacity which the public safety officers value and need, according to Norman. In 1988, the College was gearing up for a police department and lobbied the state legislature to pass Penal Code 8304(c), mandating peace officer status for all Hastings security officer personnel. The college trained all the personnel at that time, and provided specialized training for some of the officers. For example, Norman was trained

in records management, in addition to being trained as a peace officer.

Hastings is now backing away from that commitment by asserting that it, not the state legislature, controls who is granted peace officer powers and who isn't. Recent hires to the department are not being granted peace officer status. Last year, the administration commissioned a study which asserted that security officers in distinctive blazers could adequately provide for the security of the Hastings community. That study has been used as grounds for stripping the peace officer status from the department.

According to Norman, the main rationale of the College for the change has been the expense of potential liability for lawsuits for false arrest. The College hopes that by substituting security officers, it will escape any additional liability. The ones who pay the price however, may be the Hastings employees, who would be less able to protect themselves,

and the Hastings community, who will have to rely on the San Francisco Police Department for protection. Hastings is in a dangerous, high crime neighborhood.

One example of the mismanagement of the Safety Department is the holding cell, constructed at a cost of over \$130,000. UCSF Medical Center and San Francisco State University do not have holding cells. According to Elizabeth Kathernehr, negotiating team member and public safety officer with Hastings for over seven years, the cell was not needed, nor was it asked for. The officers merely wanted a bench where suspects could be detained before being taken to the Sheriff's Department and booked by a Hastings peace officer. The administration's decision to build the cell without the consulting the officers shows why the association is needed, according to Kathernehr, management does not listen to its employees.

My Side of the Court

Andrew Herman
Staff Columnist

Two thoughts raced through my mind as I sat in the eleventh row of the Seattle Kingdom watching the UCLA Bruins put the finishing touches on their first NCAA Basketball Championship since 1975. The first was that a more deserving, classier team had not won the tournament in recent memory. The second, less pleasant realization, was that I would soon be on the business end of an inordinate amount of gloating from every UCLA fan emerging from 20 year hibernation.

Well, before giving all the new "Harrick-Heads" the pleasure of a formal apology/admission of error, I will force you to listen to my boring Final Four stories. Perhaps as homage to all these Pac-10ers I have wronged throughout the year, you may live vicariously through my travels down the yellow brick road to UCLA's Emerald City.

En parking appropriately close to Oakland, the site of UCLA's regional championship, to Seattle, I assumed the plane would be filled with college hoops fans (and/or this year's sponsored land). The fellow in the adjacent seat shattered my illusions when he informed me that he was heading to Boeing's Model Airplane Show, but politely inquired, "Who's playing this year?"

My fears were soon assuaged, however, as shortly after departing, we were beset by middle-aged men hosting "Need Tickets?" signs. Seattle was chilly and drizzly, but strangely and intangibly different from the Bay Area. In any case, my friends had graciously eschewed the downtown hotel room we had been offered for the spacious accommodations of a 28 foot Winnebago. Over my vehement protests, they also declined the suburban RV hook-up provided, in exchange for the unknown promises of downtown Seattle. So at roughly 10 p.m. on the night before "Semi-Final Saturday" we set out down a drizzly Interstate 5 in search of a suitable berth to park our home away from home.

Thirty minutes later we had parked the "Bago" on the side of the road in sight of the

Kingdome, and adjacent to, but not in, the stadium's south parking lot. Suffice it to say, we barely moved it for the next four days, content to have our house in such a convenient place. Aside from the sweatshops filled with child

laborers to our right and the rumbling trains which cracked each hour and rocked the RV, we missed none of the comforts of home: refrigerator, TV/VCR, microwave, 5 foot high shower, outdoor toilets, etc.

By morning, we had found a bartender willing to pour us beers at cost, my friends had commenced selling the UCLA shirts they had brought to defray travel costs, and certain members of our group had been given a grand tour by self-appointed city bosses, complete with exploding driver-side windows (don't ask).

Saturday morning dawned, California warm and sunny. My mission was to find a cheap ticket to the games, my friends appeared more interested in hawking their wares. We both succeeded. Proving that alumni will buy anything with school letters on it, the shirts were gone long before Seattle's finest could demand to see a vendor's license.

The ticket search was not quite as simple. Despite the fact that the Kingdom accommodates in excess of 38,000 fans, tickets were scarce. Prices of \$500 for the nosebleed package (think of sitting in right field watching a game of marbles at home plate) were the norm. I adopted the earnest "I'm just a poor student/basketball fan approach" and started soliciting in the parking lots. Of course I was competing with professional scalpers, who were easily identified by their crudely made "I need tickets" signs, cellular phones, and explanation that "they only needed six down low for a few buddies." Within no time, if you consider three and a half hours no time, I had found a Oklahoma State Booster willing to sell me

his extra eleventh row ticket for the charitable price (and I mean that sincerely) of \$200. Needless to say I bought it and returned to my companions who were parked under the RV's awning, drinking beers and complaining about how hard it was to find tickets.

During my parking lot foray, I had been able to secure another ticket, this one in the upper deck, but offered at face value. The only problem was that the kind Michigan alum had agreed to meet me at one of the main gates an hour before tip-off, promise alive to a rendezvous in the streets of Pamplona during bull season. In a trip in which almost everything worked out, this did not. We were able to locate each other and he sold me his ticket for "face."

However, two members of our party were still ticketless and tip-off of the UCLA-Oklahoma State game was fast approaching. Then, perhaps proving that God is a Bruin (no, not John Wooden), a miracle occurred. As my ticketed friend and I were preparing to enter the monolithic Kingdom, a middle-aged man approached our group. "Any of you guys UCLA students?" he inquired. The one UCLA alum in our group, still ticketless, indicated his privileged status, and with the scant explanation of, "Do you want to come in as my guest," was whisked to a court-side seat for the day's games.

Thus, three out of the four of us attended Saturday's games paying a total of \$235, an incredibly low sum. The fourth went back to the RV, got drunk and watched the games on TV. We were treated to two pretty good games, although a late North Carolina miss deprived us of a

really thrilling finish. My ticket was as good as promised, as I was nearly close enough to quiz George Zidek on econ questions and spy on Dean Smith's time-out huddle. As an added bonus, I was stuck in the middle of OSU's booster section, which consisted of people wearing really bright orange, men named "Spurky" and "Jim Bob," and a light song, ending with "We're gonna beat the hell out of you!"

On Sunday, the full between games was taken up with touring Seattle's landmarks. A few urban planning tips: more breakfast places, blow up the Space Needle and its cheesy environs, and build a few more grunge landmarks. We even moved the Winnebago briefly that afternoon, reserving our space with borrowed "No Parking" signs.

Monday dawned warm and sunny. We solved our remaining ticket problems when more UCLA alumni approached the RV and offered us cheap tickets to the game. We were truly leading a blessed life. As game time approached red-clad Arkansas fans massed at the base of the Kingdom chanting "Sooswee," evidently Arkansas for "We're gonna beat the hell out of you."

The outside of the Kingdom was a madhouse of scalpers, fans, Nike reps and TV cameras. The arena was once again filled to capacity. Star sightings included Gregory Hines, Jack Nicholson and Kevin Costner.

On the court, the real stars were Ed O'Bannon and Toby Bailey. Playing without their floor leader,



Tyus Edney, UCLA still completely dominated the defending champs. As time ticked down and the realization of the moment dawned on the team and fans a tremendous sense of ecstasy and euphoria swept over the crowd. The Arkansas team and boosters seemed to disappear in an instant, rendering the cold, impersonal Kingdom into Pauley Pavilion North, if only for a few moments. The team received its trophy and snipped the nets and the fans celebrated.

In those few moments, I attempted to compose my mea culpa. In all these I may have wronged with my denigration of UCLA and the Pac-10 in general. My pleasure for a truly deserving team was mitigated by my consternation at being so profoundly wrong about something sports-related. But in anyone, I salute this year's UCLA team, clearly the nation's best college basketball team (and you can probably throw in the LA Clippers too).

However, one team and one season cannot erase a legacy of futility and I suspect that this year will prove to be an aberration. Just a blip on the ACC/Big 10 SEC domination. My advice is to enjoy the spoils of victory now, because as the vanquished Razorbacks can attest to, they can quickly change into the agony of defeat.



The Administration and Dean Kane, in all their wisdom, have decided that students are better off locked inside the building in the event of an emergency. "It's our new 'do or die, stay and fry' policy," explained Kane.

Where the HELL are the Singing CATS?



the very last issue —
for now, ha ha ha!



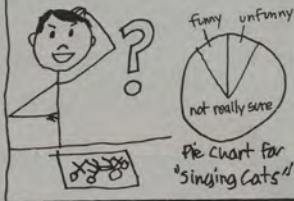
help Joe but student
find a legal career.

Fun Fact #4: Hastings dropped to
45th in Rankings this year.



Color Deah Kane
RED!

In 50 words or less try to explain
ROBB TANNER's sense of humour.
Bonus: compare with Lucas's laughs



ROBB TANNER has NO finals and is on
vacation! Billy of the Family Circus ©
is filling in this issue.
The Management

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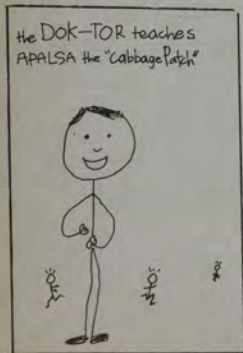
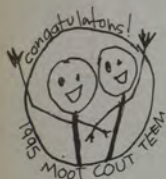
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